



Department of Human Resources
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FIA ACTION TRANSMITTAL

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TO: DIRECTORS, LOCAL DEPARTMENTS OF SOCIAL SERVICES
DEPUTY/ASSISTANT DIRECTORS FOR FAMILY INVESTMENT
FAMILY INVESTMENT SUPERVISORS
Charles E. Henry for

FROM: KEVIN MAHON, EXECUTIVE DIRECTOR, FIA

RE: PROVIDING INFORMATION TO LAW ENFORCEMENT OFFICERS

PROGRAM AFFECTED: TEMPORARY CASH ASSISTANCE AND THE FOOD
STAMP PROGRAM

ORIGINATING OFFICE: OPA/ DIVISION OF PROGRAM POLICY AND
REGULATION

BACKGROUND

Provisions of the Personal Responsibility and Work Opportunity Reconciliation Act of 1996 require that certain information be made available to law enforcement officers.

CURRENT AND ONGOING POLICY

Safeguards which establish the use or disclosure of information about applicants or recipients must be implemented.

Information may be released without a customer's consent:

- ▶ when there is a court order.
- ▶ to local, State and Federal officials who are pursuing an investigation of any program violation and to proper authorities to aid in the administration of the programs.
- ▶ when a Maryland police officer presents documentation of the name and social security number for a fugitive felon. If the active AFDC case file contains a recipient with the same name and social security number, the address will be given to the officer.

ADDITIONAL POLICY

Food Stamp Program

Local departments are required to make available to any Federal, State, or local law enforcement officer, upon request, **the address, social security number, and (if available) photograph of any member of a household** if the officer furnishes the member's name and notifies the agency that the member:

- ▶ is fleeing to avoid prosecution, custody, or confinement for a felony, is violating a condition of parole or probation, or
- ▶ has information necessary for the officer to conduct an official duty related to a felony/parole violation, and
- ▶ the request is being made within official duties.

Temporary Cash Assistance

Local departments are required to make available to any Federal, State, or local law enforcement officer, upon request, **the address of a recipient**, if the officer furnishes the member's name and notifies the agency that the recipient:

- ▶ is fleeing to avoid prosecution, custody, or confinement for a felony, is violating a condition of parole or probation, or
- ▶ has information necessary for the officer to conduct an official duty related to a felony/parole violation, and
- ▶ the location or apprehension of the recipient is within official duties.

ACTION REQUIRED

This change in policy has no impact on AIMS or CARES.

ACTION DUE

The policy is effective upon receipt of the transmittal.

INQUIRIES

Please direct questions to Kay Finegan at (410) 767-7939.

cc: FIA Management Staff
Constituent Services

REF: 7CFR

Section Title

Section

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CLIENT RIGHTS AND RESPONSIBILITIES

403

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403.1 PURPOSE:

This section describes the general rights and responsibilities of applicants for and recipients of food stamp benefits. They have been brought together in this section, as they should be generally discussed with the household during the application process.

GENERAL INFORMATION:

403.2 o Rights Under the Privacy Act of 1974

The household must be informed of its rights under the Privacy Act of 1974 whenever personal information or Social Security numbers are requested. These rights are:

- . The legal basis for the request and whether it is voluntary or mandatory to give the information.
- . The uses which may be made of the information.
- . To whom the information may be disclosed outside the U.S. Department of Agriculture.
- . The effects of not providing all or part of the information.

NOTE: Even though personal information must be furnished voluntarily, the worker has the right to deny or terminate food stamp benefits if the information withheld is required for verification purposes and no alternate means of verification is available.

403.3 o Confidentiality

Information obtained from households for Food Stamp purposes may be generally released to persons directly connected with the administration or enforcement of the following programs:

- . Food Stamps
- . Aid to Families With Dependent Children (AFDC)
- . Medicaid (MA)
- . Supplemental Security Income (SSI)
- . Transitional Emergency, Medical, and Housing Assistance (TEMHA), or
- . Any other federal or federally-aided, means tested assistance programs.



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GENERAL INFORMATION:
(Con'd)

403.3

o Confidentiality

. Any other federal or federally-aided, means tested assistance programs.

Information may also be disclosed to a court, or county prosecutor when required in civil or criminal proceedings. Access to food stamp case record information may also be provided to employees of the Federal Comptroller General's Office (General Accounting Office).

Local departments are required to make available to any Federal, State, or local law enforcement officer, upon request, the address, social security number, and (if available) photograph of any member of a household if the officer furnishes the member's name and notifies the agency that the member:

- ▶ is fleeing to avoid prosecution, custody, or confinement for a felony, is violating a condition of parole or probation, or
- ▶ has information necessary for the officer to conduct an official duty related to a felony/parole violation.

Additionally, information may be released if the person regarding whom the information is requested signs a waiver. The waiver must be dated, and specify the person to whom the information is to be released, the information to be released (either itemizing or stating a general release of any information) and the period of time covered.

403.4

o Household Access to Case File

Upon written request by a responsible member of the household, its authorized representative or a person acting in behalf, the material and information contained in the casefile must be made available for inspection during normal business hours. Confidential information about the household without its knowledge or the nature or status of pending criminal prosecution, must not be released.

403.5

o Right to Apply

The local department must provide an application for food stamps to any person upon request. The household has the right to file the application on the same day it contacts the local department. The application may be filed in person or by mail.

403.6

o Right to Non-discrimination

Households must not be discriminated against for reasons of age, race, color, sex, handicap, religious creed, national origin or political beliefs in any aspects of program administration. This includes, but is not limited to, certification, issuance, the conduct of fair hearings, or the conduct of any other program services.